



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 18, 2000

**CERTIFIED MAIL,
RETURN RECEIPT REQUESTED**

Bobby L. Harnage, Treasurer
American Federation of Government
Employees' Political Action Committee
80 F Street NW
Washington, DC 20001

RE: MUR 5095
American Federation of Government
Employees' Political Action Committee and
Bobby L. Harnage, as treasurer

Dear Mr. Harnage:

On October 13, 2000, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on your behalf in settlement of a violation of 2 U.S.C. § 434(a)(4)(B), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

Information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

Bobby L. Harnage
MUR 5095
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Enclosed you will find a copy of the fully executed conciliation agreement for your files. The payment of the civil penalty has been received. If you have any questions, please contact me at (202) 694-1650.

Sincerely,

A handwritten signature in cursive script, appearing to read "Michael E. Scurry".

Michael E. Scurry
Attorney

Enclosure
Conciliation Agreement

2004-10-03 10:40:40

BEFORE THE FEDERAL ELECTION COMMISSION

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In the Matter of)
) MUR 5095
American Federation of Government)
Employees' Political Action Committee)
and Bobby L. Harnage, as treasurer)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that the American Federation of Government Employees' Political Action Committee and Bobby L. Harnage, as treasurer ("Respondents"), violated 2 U.S.C. § 434(a)(4)(B).

NOW, THEREFORE, the Commission and the Respondents, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondents enter voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. The American Federation of Government Employees' Political Action Committee is a political committee within the meaning of 2 U.S.C. § 431(4) and is not an authorized committee of any candidate.

2. Bobby L. Harnage is the treasurer of the American Federation of Government Employees' Political Action Committee.

3. The Federal Election Campaign Act of 1971, as amended, ("Act") requires that all political committees, other than authorized committees of a candidate, shall file monthly reports, which shall be filed no later than the 20th day after the last day of the month, except that, in lieu of filing the reports otherwise due in November and December of any year in which a regularly scheduled general election is held, a pre-general election, post-general election, and year end report shall be filed. 2 U.S.C. § 434(a)(4)(B).

4. The Respondents failed to timely file their 1999 December Monthly Report. Respondents were required to file the 1999 December Monthly Report no later than December 20, 1999. The 1999 December Monthly Report, which disclosed \$27,529.33 in receipts and \$19,921.90 in disbursements, was not filed until February 16, 2000, fifty-eight calendar days late.

V. Respondents will pay a civil penalty to the Federal Election Commission in the amount of one thousand two hundred and fifty dollars (\$1,250.00).

VI. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement, or any requirement thereof, has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

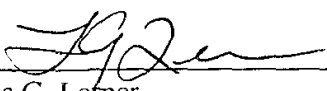
VII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

VIII. Respondents shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

IX. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.


FOR THE COMMISSION:

Lawrence M. Noble
General Counsel

BY: 
Lois G. Lerner
Associate General Counsel

10/18/00
Date

FOR THE RESPONDENTS:


Name Bobby L. Harnage
Position Treasurer of AFGE-PAC

9/28/00
Date